

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:21-cv-00225-MR-WCM

5-STAR ATHLETE
DEVELOPMENT, LLC,

Plaintiff,

v.

CITY OF SHELBY

Defendant.

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ORDER

This matter is before the undersigned for case management purposes following the filing of Defendant's Motion to Dismiss (Doc. 5) and Memorandum in Support (Doc. 5-1).

On August 26, 2021, the District Court informed Plaintiff, a limited liability company, that it can appear in this matter only through a licensed attorney. Doc. 4. The District Court provided Plaintiff with thirty days to retain counsel and advised Plaintiff that failure to retain counsel within the time required would result in the dismissal of this action without prejudice. Id.

On September 7, 2021, Defendant filed its Motion to Dismiss, asserting that Plaintiff's complaint should be dismissed pursuant to Federal Rules of Civil Procedure 12(b)(6), 12(b)(4), and 12(b)(5). Pursuant to the local rules, the deadline for Plaintiff to respond to the Motion to Dismiss is currently

September 21, 2021. LCvR 7.1. That is, the deadline for Plaintiff to respond to the Motion to Dismiss occurs before the deadline for Plaintiff to retain counsel.

Accordingly, in the Court's discretion, Plaintiff's deadline for filing a response to Defendant's Motion to Dismiss will be **EXTENDED** to and including **October 1, 2021**.

It is so ordered.

Signed: September 8, 2021

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

